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PATENT
Atty. ref. 0-010335USJZFN
(OMNZ 2 00052)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of SIZER et al.			
Appl. no.	10/565,402	Examiner	Not yet assigned
371(c) date	11 September 2006	Art unit	1792
Title	BASE-COAT IN-MOLD COATING	Confirmation	1910

Submitted: June 1, 2010

CERTIFICATE OF TRANSMISSION

I hereby certify that, on the date shown below, this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office's Central Fax number (571/273-8300).

Signature David G. Burleson

Name David G. Burleson

Date June 1, 2010

REQUESTS FOR RECOGNITION AS REPRESENTATIVE, CORRECTED FILING
RECEIPT AND CORRECTED 371 ACCEPTANCE LETTER

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Included in this transmission is a copy of the declaration and power of attorney by inventors David Sizer and Richard Harshbarger. This document, originally submitted in September 2006 in response to a 371 Requirements Letter mailed 24 July 2006, includes on its second page a paragraph captioned "POWER OF ATTORNEY," which reads, in pertinent part (emphasis sic),

As a named inventor, I hereby appoint the Attorneys associated with Customer No. 027885 and David G. Burleson, Reg. No. 38 , 090 (sic), to prosecute the application identified above, and to transact all business ... connected therewith.

Despite this express intention to grant a power to those attorneys associated with Customer Number 27885 and to the undersigned (Reg. No. 38090), the USPTO

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U.S. appl. no. 10/565,402

0-010335USJZFN

Page 2 of 2

erroneously recorded a power of attorney as having been granted solely to Joseph E. Waters (Reg. No. 50427).

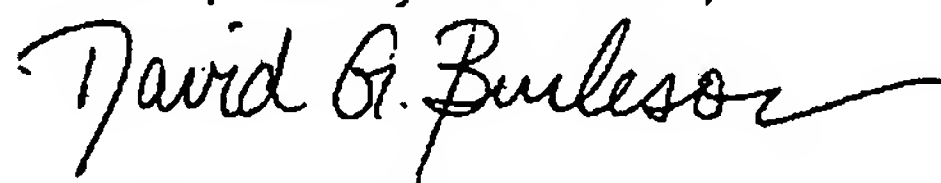
The undersigned, who has a power of attorney pursuant to the noted grant from the inventors, respectfully requests that the USPTO revise its records to reflect the power granted by the inventors.

Ancillary to the foregoing, the USPTO should issue a corrected filing receipt reflecting the appropriate powers of attorney. Enclosed is a marked-up copy of the filing receipt mailed 26 May 2010, showing the requested change.

Additionally, Applicants respectfully request that the USPTO issue a corrected form PCT/DO/EO/903. The form mailed 26 May 2010 indicates 23 May 2010 to be the date that all 35 U.S.C. § 371 requirements were met. After reviewing MPEP § 1893.03(b) and the submissions made previously in this application, the undersigned believes that the correct date should be 11 September 2006. Because the date in question is used for calculating patent term adjustment and because the difference at issue is nearly four years, issuance of a corrected Notice would seem to be appropriate.

Questions concerning this submission should be directed to the undersigned.

Respectfully submitted,



David G. Burleson
Reg. No. 38,090
Attorney for Applicants

OMNOVA Solutions Inc.
Law Department
175 Ghent Road
Fairlawn, Ohio 44333-3300

CORY

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Attorney Docket No.: 010335WOJZF
OMNZ 200052

DECLARATION AND POWER OF ATTORNEY
FOR UTILITY OR DESIGN PATENT APPLICATION
(37 CFR 1.63)

As a below inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if a single name listed below) or an original, first and joint inventor (if plural names listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

BASE-COAT IN-MOLD COATING

the specification of which

☐ is attached hereto
☒ PCT International Application No. PCT/US2004/022892, I.A. Filing Date July 15, 2004 and was filed under 35 U.S.C. 371 as United States Application Number 10/565,402.

I hereby authorize and request my attorney to insert the application number and filing date, when known, into this declaration executed by me for this invention.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Claimed?	Certified Copy Attached?

I hereby claim the benefit under 35 U.S.C. 119(e) of United States provisional application(s) listed below.

Application Number(s)	Day/Month/Year Filed	Additional Provisional Application Numbers Listed on Supplemental Priority Data Sheet Attached
60/489,052	07/22/2003	no

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U.S. Serial No. 10/565,402
010335WOJZF/OMNZ200052

I hereby claim the benefit under Title 35, United States, § 120 of any United States application(s) or any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information which is material to patentability as defined in Title 37, of Federal Regulations Code, § 1.58(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Parent Application or PCT Parent Number	Parent Filing Date Day/Month/Year Filed	Parent Patent Number (if applicable)
PCT/US2004/022892	07/15/2004	

POWER OF ATTORNEY: As a named inventor, I hereby appoint the Attorneys associated with Customer No. 027885, and David G. Burleson, Reg. No. 38, 090, to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

DIRECT TELEPHONE CALLS TO:
Joseph E. Waters, Reg. No. 50,427
Telephone: 216-861-5582
Facsimile: 216-241-1686
Email: jwaters@faysharpe.com

DIRECT ALL CORRESPONDENCE TO:
Customer Number 027885
Attention: Joseph E. Waters, Esq.
Fay, Sharpe, Fagan, Minnich & McKee, LLP
1100 Superior Avenue, 7th Floor
Cleveland, OH 44114-2579

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor: DAVID SIZER

Inventor's Signature: David Sizer

Date: AUGUST 18, 2006

Residence: Parma, Ohio 44129

Country of Citizenship: U.S.

Post Office Address: 6502 Night Vista Drive, Parma, Ohio 44129

Full name of second joint inventor: RICHARD HARSHBARGER

Inventor's Signature: Richard H. Harshbarger

Date: August 18, 2006

Residence: Munroe Falls, Ohio 44262

Country of Citizenship: U.S.

Post Office Address: 302 Archwood Avenue, Munroe Falls, Ohio 44262

FILED 06/01/10 06:36 PM EDT Zollinger & Burleson Ltd. -> main USPTO

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1430
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
10/565,402	09/11/2006	1792	1030	010335WOJZFOMNZ 200052	13	1

CONFIRMATION NO. 1910

OMNOVA SOLUTIONS
175 GHENT ROAD
FAIRLAWN, OH 44333-3300

FILING RECEIPT



OC000000041754517

Date Mailed: 05/26/2010

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

David Sizer, Parma, OH;
Richard Harshbarger, Munroe Falls, OH;

Power of Attorney:

~~Joseph Waters-50427~~

David Burleson - 38090
Patent practitioners associated with Customer Number 27885

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/22892 07/15/2004
which claims benefit of 60/489,052 07/22/2003

Foreign Applications

If Required, Foreign Filing License Granted: 03/29/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/565,402**

Projected Publication Date: 09/02/2010

Non-Publication Request: No

Early Publication Request: No

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Title

Base-coat in-mold coating

Preliminary Class

427

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

page 2 of 3

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).